

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Suite 200
San Luis Obispo, CA 93401-5427**

CLEANUP OR ABATEMENT ORDER NO. 98-83

Concerning

**CITY OF PISMO BEACH,
SAN LUIS OBISPO COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds:

1. The City of Pismo Beach (hereafter Discharger) operates wastewater collection, treatment, and disposal facilities to provide sewerage service within the City limits. Treated municipal wastewater is discharged to the Pacific Ocean through an outfall located off Pismo State Beach (35°06'09" N. Latitude, 120°38'29" W. Longitude).
2. The discharge is subject to Waste Discharge Requirements Order No. 94-52, NPDES Permit No. CA0048151, adopted by the Board on June 3, 1994. Order No. 94-52 implements state and federal regulations and specifies in part:

“D. PROVISIONS

“5. The Discharger shall comply with all items of the attached "Standard Provisions and Reporting Requirements for National Pollutant Discharge Elimination System Permits," dated January 1985. Paragraph (a) of item E.1. shall apply only if the bypass is for essential maintenance to assure efficient operation.^D”

- 3. Standard Provisions referenced in Provision D.5. above specify in part:

“A. GENERAL PERMIT CONDITIONS

“4. “Bypass” and “overflow” of untreated and partially treated waste is prohibited.

“7. Introduction of “pollutant free” wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

“8. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.

“11. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

- 4. The Discharger has reported 18 sewage spills in the past 3 years. Spills have been primarily due to inadequate capacity in the collection system and power failures. During the past 3 years, approximately 140,250 gallons of sewage have overflowed the sewer system resulting in approximately 60,930 gallons of sewage discharged to surface waters (combined total from all incidents).
- 5. Section 13304 of the California Water Code provides that the Board may order any person discharging waste in violation of waste discharge requirements to cleanup or abate the effects thereof; or in the case of threatened pollution or nuisance, to take other necessary remedial action.
- 6. This enforcement action is taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED, pursuant to Sections 13267 and 13304 of the California Water Code, the City of Pismo Beach shall:

1. As soon as possible but no later than December 31, 1998, complete emergency connection to increase capacity of Addie Street lift station to accommodate wet weather flows.
2. As soon as possible but no later than July 30, 1999, complete draft wastewater system master plan identifying deficiencies and proposed corrective actions. The master plan shall include, but not be limited to evaluation and correction of deficiencies in collection system capacity, standby power sources, staffing levels, operations and maintenance, and any other areas impacting the City's ability to comply with Order No. 94-52.
3. As soon as possible but no later than June 30, 1999, complete Infiltration/Inflow Analysis to identify sources of storm water intrusion.
4. As soon as possible but no later than June 30, 1999, complete upgrade of Sunset Palisades lift station to increase capacity to accommodate build-out of the Palisades area.
5. As soon as possible but no later than December 31, 1999, complete final wastewater system master plan.
6. Submit monthly status reports indicating progress and compliance with scheduled corrective actions, such reports may be combined with monthly self-monitoring reports if the discharger so chooses.

All technical and monitoring reports required in conjunction with this Order are required pursuant to Section 13267 and 13304 of the California Water Code. All such reports shall include a statement by the Discharger or an authorized representative, certifying under penalty of perjury under laws of the State of California, that the report is true, complete and accurate. Engineering reports and plans shall be prepared, signed, and stamped by a qualified licensed/registered professional.

It is expected that completion of the wastewater master plan (item 5 above) will identify deficiencies and long- and short-term corrective measures not addressed in this Order. When such information is available, this Order may be reviewed and amended as needed or replaced by an updated Order.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, including compliance with the above mentioned schedule, the Executive Officer may seek authorization to request the Attorney General to take appropriate enforcement action against the Discharger, including injunction and civil remedies, if appropriate; the Executive Officer is authorized to issue an Administrative